REMARKS

Applicant respectfully requests favorable reconsideration of the claims in view of the following remarks responsive to the Office Action of November 10, 2003.

Allowable Subject Matter

Applicant respectfully thanks the Office for the indication that claims 5, 16, and 26 recite patentable matter and would be allowed if amended to independent form to include the limitations of their base claims and any intervening claims. Responsive to this indication, Applicant has herein cancelled claims 5, 16, and 26 and replaced them with new claims 33, 34, and 35, respectively, which are independent claims that include the limitations of claims 5, 16, and 26, respectively, and the claims from which they depended.

Accordingly, claims 33-35 are allowable.

Objections and Rejections As to Form

In section 3 of the Office Action, the Office objected to the drawings because they are missing reference numerals 101, 103, 105, 107 109, and 111. In the proposed drawing corrections submitted herewith in clean and annotated form, Applicant has corrected the drawings to include the aforementioned reference numerals. Applicant respectfully requests the Office's approval of these proposed changes and will submit formal corrected drawings upon receipt

of a Notice of Allowance in this case.

In sections 4 and 5 of the Office Action, the Office rejected claims 1, 4-8, 11, 12, 15-17, 22, 25-29 and 32 under 35 USC 112, second paragraph, as indefinite. In short, the Office indicated that the term "between said panels" was unclear and that some of the references to "spatial organization" were unclear as to which or whose spatial organization was being referred to. Applicant has amended the claims to overcome these matters.

In addition, the Office indicated that, in several places, "a page", "a Web page", "said at least one page", and "a file" should all be corrected to correspond exactly to the antecedent basis provided in the claims, such as "said at least one Web page" or "said at least one file". Applicant has herein amended the claims accordingly. Hence, all claims should now meet the requirements of 35 USC 112, second paragraph.

Art Based Rejections

The Present Invention

The invention is a method and apparatus for simultaneously displaying multiple Web pages in multiple panels of a computer monitor, the multiple pages. As a user navigates through the virtual space by selectively moving pages from panel to panel in the display, the pages shift among the panels correspondingly to preserve the illusion of navigating through space. However, in order to facilitate certain types of Web surfing experiences, such as shopping, one Web page can be forced to stay in the same panel of the display while the user

navigates through the virtual space while the other pages continue to shift positions among the panels so that they remain in the same virtual spatial relation to each other. The selected Web page is coined the "always there" page in the lingo of the patent application. For instance, when a user is shopping, it may be particularly desirable for the check out page or shopping cart page to always be displayed in a particular panel as the user navigates through the other pages of the Web site. In accordance with the invention, a user may pull up such a page and designate it as an "always there" page, in which case the browser will keep that page in the same panel until the "always there" feature is disabled for that panel.

The Rejection

In sections 6 and 7 of the Office Action, the Office rejected claims 14 [sic, 1-4?], 6-15, 17-25, and 27-32 under 35 USC 102(e) as anticipated by Shuping.

Applicant has herein amended (1) independent claim 1 to include the limitations of claim 6, (2) independent claim 12 to include the limitations of former claim 17, and (3) independent claim 22 to include the limitations of former claim 27. Claims 6, 17, and 27 have been cancelled.

Applicant respectfully traverses the rejections of claims 6, 17, and 27 over Shuping. All three of these claim recited essentially the same subject matter (which subject matter has now been incorporated into independent claims 1, 12, and 22, respectively, from which they previously depended). More specifically, these claims recited the limitation that the "always there" page/file was designated as such based on information contained in the page/file.

This limitation pertains to the alternate embodiment of the invention discussed on pages 12-13 of the specification in which the user does not designate which page is the always there page, but rather the Web site operator designates it by, for instance, embedding meta-data into the Web page or pages of the site. The browser can read that meta-data to determine which page(s) is to be an always there page. (See the example on pages 12-13 of the specification, in which the Web site operator designates the shopping cart page of a Web site as an always there page).

In rejecting these three claims, the Office asserted:

As per claims 6 (method), 17 (method), and 27 (computer readable memory); the limitation of designating at least one of said Web pages as an always there page is performed automatically responsive to data contained in a Web page is taught by Shuping as the technique of if a user designates future Web page 235A as a sticky Web page, future Web page 235A remains in the illustrated location regarless [sic] of new future web pages 235 generated from hyperlinks 240 on any new current pages 215 selected during subsequent browsing (see col. 8, lines 38-43). These claims are therefore rejected for the reasons as set forth above.

Applicant respectfully traverses. Applicant does not understand the Office's assertions in connection with the rejection of these three claims. Particularly, the Office appears to emphasize the term "during subsequent browsing" of the above-quoted portion of the Office Action, but Applicant has no appreciation of why this term is deemed significant. The cited section of Shuping does not disclose anything other than the fact that the user of the browser can designate a page as a "sticky" page, which is the exact opposite of what is being claimed in these claims. There is nothing in the cited section of Shuping, nor the Office's explanation of that section that suggests anything else. The fact that the

sticky page stays in its location "during subsequent browsing" says nothing about from <u>where</u> the information that it is a sticky page is derived. The fact that the user of the browser designated it as a sticky page clearly demonstrates that such designation is not based on information contained in the page itself, but is based on an action of the user. Accordingly, the cited section of Shuping appears to teach the exact opposite of what it has been cited as teaching. Therefore, independent claims1, 12, and 22 patentably distinguish over the prior art of record.

Note that independent claim 12 is slightly different in scope from claims 1 and 22 in that claim 12 recites that the data designating a particular page as an always there page is contained in "a Web page", and not necessarily the Web page that is the always there page. The limitation that this information is contained in the actual Web page that is the always there page is added in dependent claims 18. Nevertheless, claims 12 still is patentably distinct over Shuping because Shuping discloses only that the user designates the always there page and not that the information as to which page is the always there page is contained in <u>any</u> Web page.

Accordingly, claims 1, 12, and 22 patentably distinguish over the prior art. The claims that depend from those claims distinguish over the prior art for at least the same reasons.

Dependent claims 7 and 28 depend from newly amended claims 1 and 22 and add that the data is contained in meta-data in the Web pages. Hence, these claims even further patentably distinguish over the prior art of record.

Nevertheless, the dependent claims add even further distinguishing limitations. For instance, claims 10, 20, and 31 add the limitation that the spatial organization of Web pages (or files) corresponds to at least a three dimensional spatial interrelationship. This limitation pertains to the feature discussed on page 9, line 22 – page 10, line 2 of the specification in which the data represented on the pages corresponds to an actual three dimensional space (e.g., the Web pages are renderings of an actual physical locale) and the Web pages are positioned in the virtual three dimensional arrangement in a relationship corresponding to the actual physical relationship of the data represented by the pages.

The Office asserted that this is inherent in Shuping's Figure 9 which illustrates a three dimensional environment. The Office seems to misunderstand what is being claimed in these claims. Applicant agrees that Shuping discloses a virtual three dimensional space comprised of Web pages. However, that is not what is claimed in these claims. While these claims recite a three dimensional virtual space comprised of Web pages, they also claim a great deal more. Specifically, the point of these claims is that the pages that comprise this virtual three dimensional virtual space contain data that correspond to some actual three dimensional organization and that the arrangement of the pages in the virtual space corresponds to an arrangement of the data represented by those pages in actual space. Consider the example of a web site that provides a virtual tour of an actual museum wherein each cube shown by the browser corresponds to a room and each face of a cube corresponds to a painting in that room. Each

cube is arranged relative to the other cubes in correspondence to the way that the rooms of the actual museum are laid out.

There is absolutely nothing like this disclosed in Shuping.

Dependent claims 11, 21, and 32 add even further distinguishing recitation. These claims all recite the feature that, when the user navigates through the virtual space so as to cause a Web page to logically be required to move onto the panel occupied by the always there page, that page is simply not displayed. In essence, it is hidden by the always there page unless and until the Web pages are shifted again to cause that page to logically be required to be displayed in another panel that is not occupied by an always there page.

The Office asserted that this is met by the description in col. 5, lines 46-50 of Shuping because it speaks about past Web pages being eliminated from the "past" panel. A careful reading of this section of Shuping discloses that it has nothing to do with the claimed feature. This section of Shuping merely notes that the last page on the "past" pages panel disappears every time a new page is shifted onto the past pages panel. This has nothing whatsoever to do with the sticky web page feature of Shuping. In essence, this section of Shuping merely states the obvious; that there are only a certain number of pages that can be shown on the past pages panel. When that panel is full of pages and another page is shifted onto it, the oldest page disappears off of the past panel. This is nothing more than a conventional "first in, first out" system that has nothing whatsoever to do with the sticky pages of Shuping or with the present invention.

This application is now in condition for allowance. Applicant respectfully requests the Office to issue a Notice of Allowance at the earliest possible date. The Office is invited to contact applicant's undersigned counsel by telephone to resolve any further matters in connection with this application.

Respectfully submitted,

Dated: 2.10.04
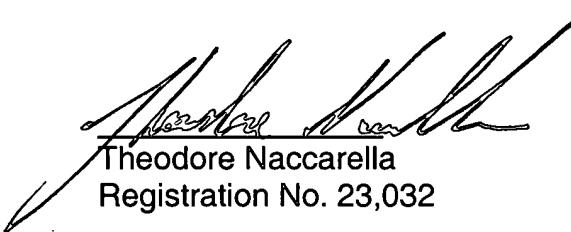
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101

CubicEye
File Cubes Options Zoom Help

105

2

103

EXTERNAL T
SEPARATION
ORBIT INSERT

ON-ORBIT
OPERATIONS

RE-ENTRY

BOOSTER SEPARATION

LAUNCH

AIRSTRIP
LANDING

1

111

5

109

4

107

3

FIG. 1 (ANNOTATED)

101

CubitEye

File Cubes Options Zoom Help

10

2

11

6

1

7

14

3

15

12

8

16

2 1

18

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19

20

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2 4

17

25
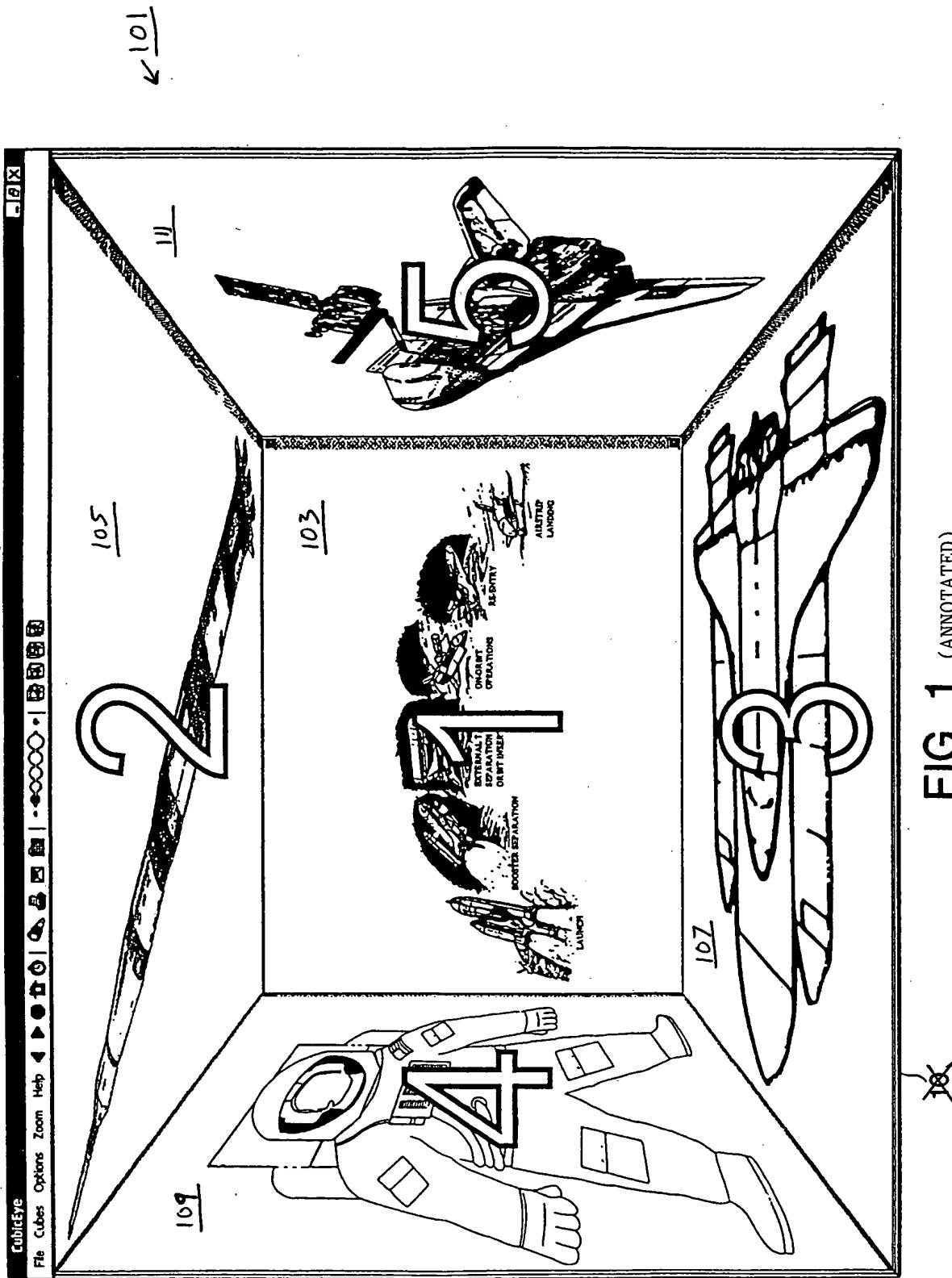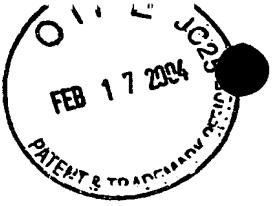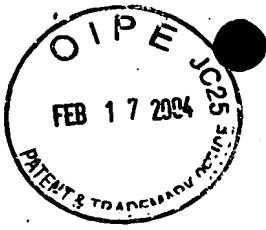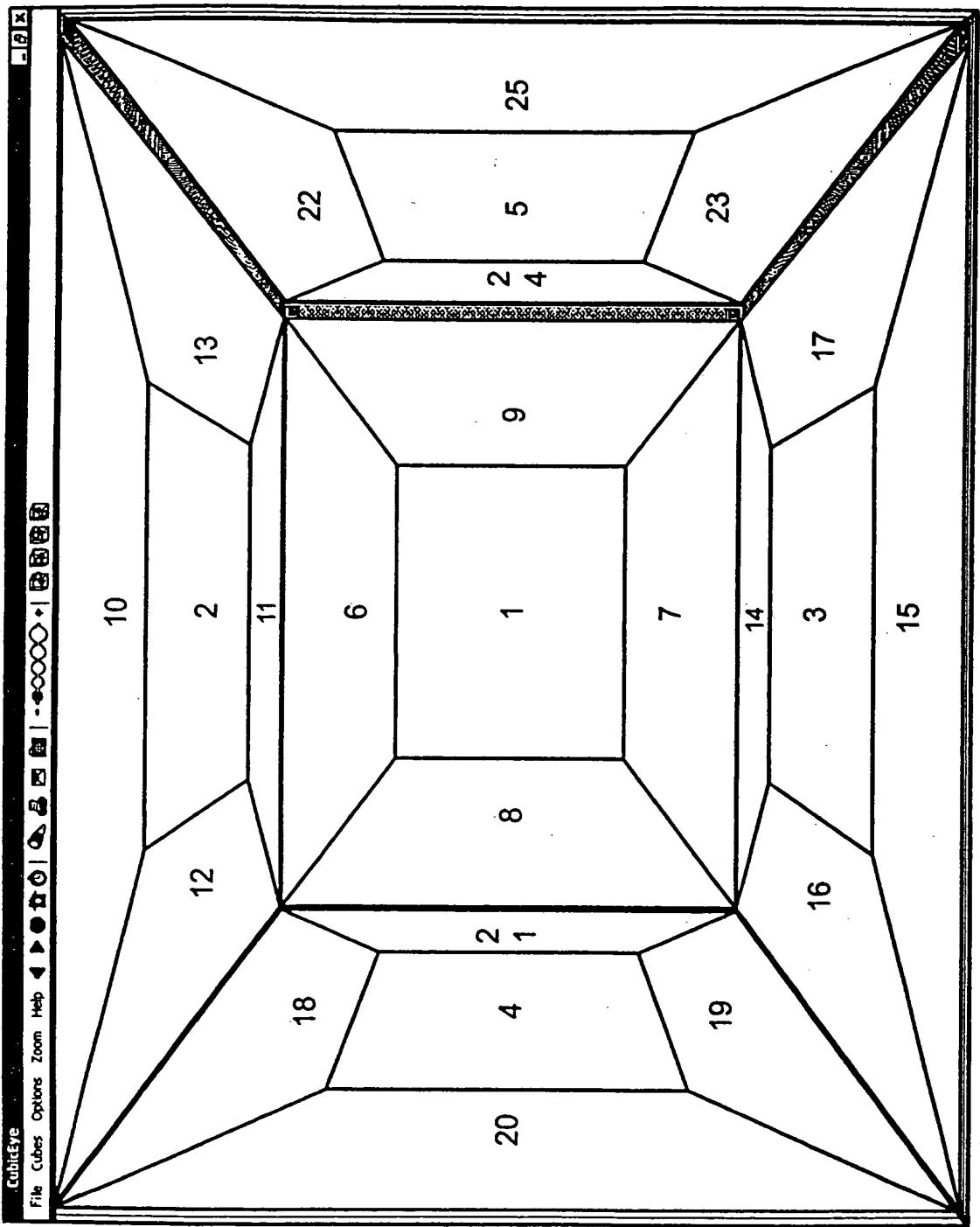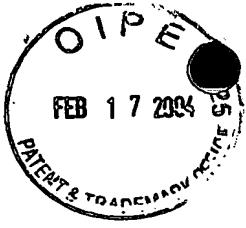
FIG. 2 (ANNOTATED)

101
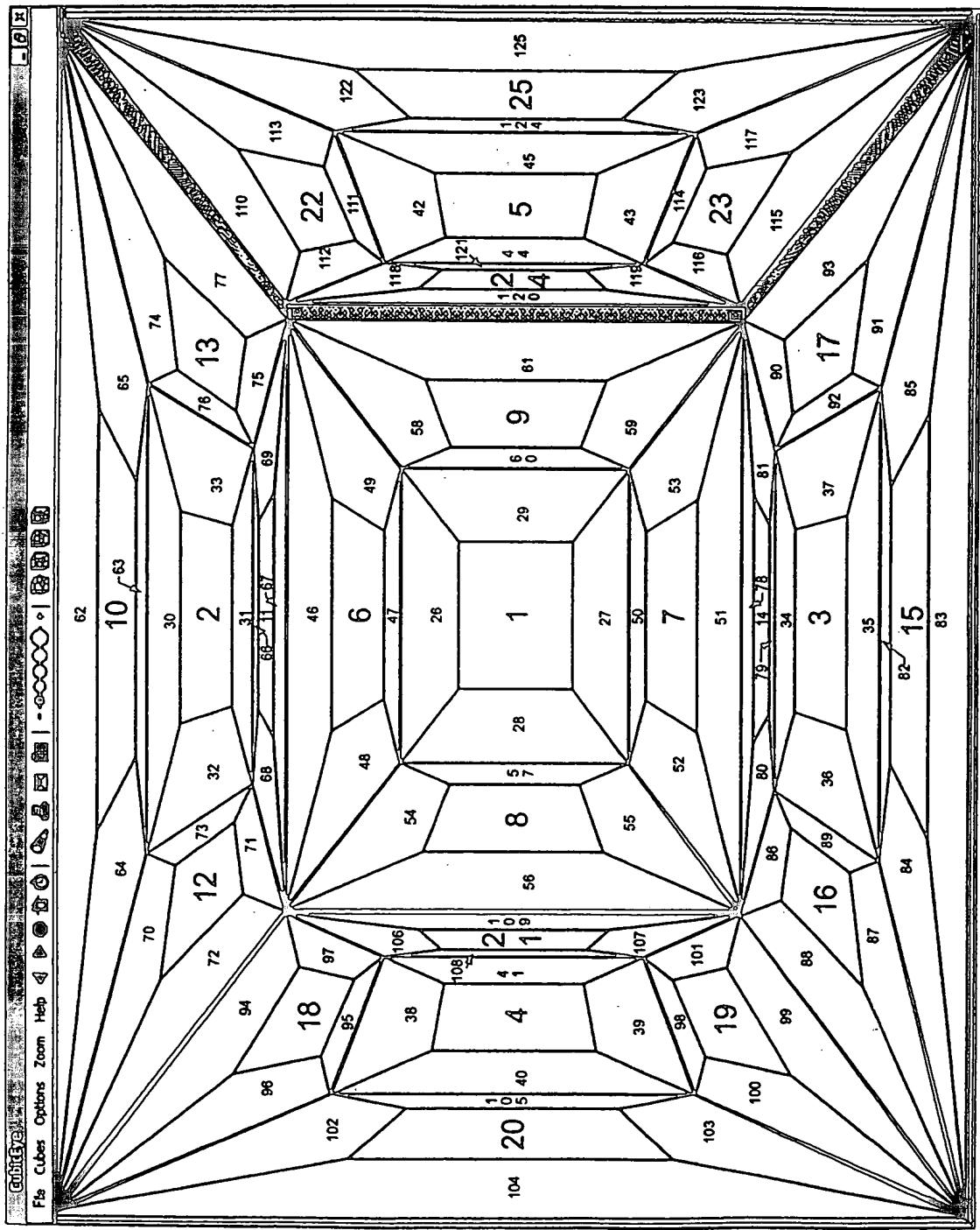
FIG. 3 (ANNOTATED)

FIG. 4A (ANNOTATED)

FIG. 4B · (ANNOTATED)